

ALEX G. TSE (CABN 152348)
 United States Attorney
 SARA WINSLOW (DCBN 457643)
 Chief, Civil Division
 NEILL T. TSENG (CABN 220348)
 Assistant United States Attorney

450 Golden Gate Avenue, Box 36055
 San Francisco, California 94102-3495
 Telephone: (415) 436-7155
 FAX: (415) 436-6748
 neill.tseng@usdoj.gov

Attorneys for Defendants
 U.S. DEPARTMENT OF HOMELAND SECURITY and
 U.S. CUSTOMS AND BORDER PROTECTION

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN FRANCISCO DIVISION

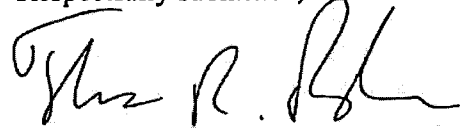
13	MUDDY WATERS, LLC, a Nevada limited)	CASE NO. C 18-0398 JCS
14	liability company,		
15	Plaintiff,		
16	v.)	STIPULATION OF SUBSTITUTION AND DISMISSAL; [PROPOSED] ORDER
17	U.S. DEPARTMENT OF HOMELAND		
18	SECURITY; U.S. CUSTOMS AND BORDER		
19	PROTECTION,		
19	Defendants.)	

Subject to the approval of the Court, the parties hereby stipulate as follows:

1. Muddy Waters Capital LLC shall be substituted as the plaintiff in place of Muddy Waters, LLC, which is an entity that is now dormant.
2. Pursuant to Fed. R. Civ. P. 41(a)(1)(A)(ii), Plaintiff Muddy Waters Capital LLC and Defendants U.S. Department of Homeland Security ("DHS") and U.S. Customs and Border Protection ("CBP") hereby stipulate to dismiss this action, including all claims that were asserted therein. This dismissal is without prejudice to Plaintiff's ability to file another FOIA request for the same subject matter in the future. Each party will bear its own costs and attorneys' fees, except that Plaintiff shall pay

1 DHS \$82 in review fees and CBP \$168 in review fees in accordance with standard FOIA billing
2 procedures.

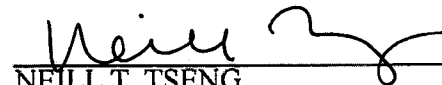
3 Respectfully submitted,

4 

5 THOMAS R. BURKE
6 Attorney for Plaintiff

7
8
9 DATED: 9/5/2018

10 ALEX G. TSE
11 United States Attorney

12 

13 NEILL T. TSENG
14 Assistant United States Attorney
15 Attorneys for Defendants

16
17
18
19
20
21
22
23
24
25
26
27
28

29 PURSUANT TO STIPULATION, IT IS SO ORDERED.

30 DATED:

31 _____
32 JOSEPH C. SPERO
33 UNITED STATES CHIEF MAGISTRATE JUDGE

34 ATTESTATION

35 Pursuant to Civil L.R. 5-1(i)(3), I attest that I have obtained concurrence in the filing of this
36 document from each of the other signatories.

37 ALEX G. TSE
38 United States Attorney

39 

40 NEILL T. TSENG
41 Assistant United States Attorney
42 Attorneys for Defendants

43 DATED: 9/5/18